

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Faculty, Alumni, and Students Opposed to  
Racial Preferences,

Plaintiff,

v.

New York University Law Review, New York  
University School of Law, New York  
University, and Betsy DeVos, in her official  
capacity as U.S. Secretary of Education,

Defendants.

Civil Action No. 1:18-CV-09184-ER

**ORAL ARGUMENT REQUESTED**

**DEFENDANT NYU’S MOTION TO DISMISS FIRST AMENDED COMPLAINT**

Defendant New York University (“NYU”), by and through its undersigned counsel, hereby moves to dismiss all claims pled against it and its affiliates in the First Amended Complaint (“FAC”) with prejudice, pursuant to Fed. R. Civ. P. 4(m), Fed. R. Civ. P. 12(b)(1), and Fed. R. Civ. P. 12(b)(6). The grounds for this motion are set forth in the accompanying memorandum of law.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 6.1(c), NYU respectfully requests oral argument on this Motion.

Date: March 21, 2019

Respectfully,

/s/ Stephen D. Susman

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of March 2019, a true and correct copy of the foregoing was served on all parties via the Court's ECF system.

/s/ Stephen D. Susman  
Stephen D. Susman